



## **COUNCIL CHAMBERS**

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

<b>REDEVELOPMENT AGENCY</b>	<b>COUNCIL MEMBERS</b>
Dennis Kennedy, Chairperson	Dennis Kennedy, Mayor
Mark Grzan, Vice-Chairperson	Mark Grzan, Mayor Pro Tempore
Larry Carr, Agency Member	Larry Carr, Council Member
Greg Sellers, Agency Member	Greg Sellers, Council Member
Steve Tate, Agency Member	Steve Tate, Council Member

**WEDNESDAY, FEBRUARY 22, 2006**

**AGENDA**

**JOINT MEETING**

**REDEVELOPMENT AGENCY REGULAR MEETING**

**and**

**CITY COUNCIL SPECIAL MEETING**

**7:00 P.M.**

*A Special City Council Meeting Is Called at 7:00 P.M. for the Purpose of Conducting Closed Sessions and City Business.*

---

**Dennis Kennedy, Mayor**

**CALL TO ORDER**

(Chairperson/Mayor Kennedy)

**ROLL CALL ATTENDANCE**

(Agency Secretary/City Clerk Torrez)

**DECLARATION OF POSTING OF AGENDA**

**Per Government Code 54954.2**

(Agency Secretary/City Clerk Torrez)

**7:00 P.M.**

**SILENT INVOCATION**

**PLEDGE OF ALLEGIANCE**

**PROCLAMATION**

Future Business Leaders of America Week  
*Live Oak High School Students, Elaine Liu and Tiffany Shuyan*

**CITY COUNCIL SUBCOMMITTEE REPORTS**

**OTHER REPORTS**

**PUBLIC COMMENT**

**NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.**

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME  
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND  
PRESENT IT TO THE CITY CLERK.**

(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE  
CITY CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY  
COUNCIL/REDEVELOPMENT AGENCY.**

## ***Redevelopment Agency Action***

**CONSENT CALENDAR:**

**ITEMS 1**

The Consent Calendar may be acted upon with one motion, a second and the vote, by each respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

**Time Estimate**

**Page**

**Consent Calendar: 1 - 10 Minutes**

- |           |   |          |
|-----------|---|----------|
| <b>1.</b> | <b><u>JANUARY 2006 FINANCE &amp; INVESTMENT REPORT - RDA</u>.....</b>     | <b>1</b> |
|           | <b><u>Recommended Action(s):</u> <u>Accept</u> and <u>File</u> Report</b> |          |

## ***City Council Action***

### **CONSENT CALENDAR:**

#### **ITEMS 2-8**

	<b>Time Estimate</b>	<b>Page</b>
	<b>Consent Calendar: 1 - 10 Minutes</b>	
2.	<b><u>JANUARY 2006 FINANCE &amp; INVESTMENT REPORT - CITY</u></b> ..... <b><u>Recommended Action(s):</u></b> <u>Accept</u> and <u>File</u> Report	<b>11</b>
3.	<b><u>MID-YEAR UPDATE - 2005/2006 WORKPLAN</u></b> ..... <b><u>Recommended Action(s):</u></b> <u>Accept</u> Report.	<b>37</b>
4.	<b><u>SPECIAL CITY COUNCIL MEETING TO BE SCHEDULED FOR MARCH 29, 2006</u></b> ..... <b><u>Recommended Action(s):</u></b> By Motion, <u>Indicate a Willingness</u> to Hold a Special City Council Meeting on March 29, 2006 for Community Development Department Items.	<b>81</b>
5.	<b><u>RESIGNATION OF A LIBRARY, CULTURE &amp; ARTS COMMISSIONER</u></b> ..... <b><u>Recommended Action(s):</u></b> 1. <u>Accept</u> Jeanne Gregg's Resignation from the Library, Culture and Arts Commission; and 2. <u>Direct</u> the City Clerk to Commence Recruitment Efforts to Fill the Vacancy Concurrently with Upcoming Recruitment Efforts.	<b>83</b>
6.	<b><u>ACCEPTANCE OF SUBDIVISION IMPROVEMENTS FOR TRACT 9567, COYOTE ESTATES PHASE VIII</u></b> ..... <b><u>Recommended Action(s):</u></b> 1. <u>Adopt</u> the Resolution Accepting the Subdivision Improvements Included in Tract 9567, Commonly Known as Coyote Estates Phase VIII; and 2. <u>Direct</u> the City Clerk to File a Notice of Completion with the County Recorder's Office.	<b>87</b>
7.	<b><u>CONDITIONAL VACATION OF A PORTION OF A PUBLIC UTILITY EASEMENT ON APN: 728-37-002 AND APN: 728-37-004</u></b> ..... <b><u>Recommended Action(s):</u></b> 1. <u>Adopt</u> Resolution, to be Presented at or Before the Meeting, Declaring Summary Vacation of a Portion of a Public Utility Easement on APN: 728-37-002 and 728-37-004; and 2. <u>Direct</u> the City Clerk to File a Certified Copy of the Resolution with the Santa Clara County Recorder Upon Relocation of the Sewer Main and Granting of the New Public Utility Easement.	<b>93</b>
8.	<b><u>APPROVAL OF JOINT CITY COUNCIL REGULAR AND SPECIAL REDEVELOPMENT AGENCY MEETING MINUTES</u></b> ..... 	<b>97</b>

## ***City Council Action***

### **OTHER BUSINESS:**

	<b>Time Estimate</b>		<b>Page</b>
9.	30 Minutes	<b><u>DEVELOP CITY COUNCIL POSITION REGARDING PROPOSED VALLEY TRANSPORTATION AUTHORITY (VTA) QUARTER-CENT SALES TAX TO SUPPORT LONG-TERM TRANSIT CAPITAL IMPROVEMENT PROJECT (CIP) EXPENDITURE PLAN</u></b> .....	125
		<b><u>Recommended Action(s):</u></b>	
		1. By Motion, <b><u>Determine</u></b> Whether the City's Position will be to Support, or Not to Support, the Proposed Quarter-Cent Sales Tax Measure; and	
		2. <b><u>Discuss</u></b> Recommended VTA Quarter-Cent Sales Tax Scenario Expenditure Plan, and <b><u>Provide Direction</u></b> to the City's VTA Board Representative Regarding the Scheduled March 2, 2006 VTA Board of Directors Vote on the Proposed Plan.	

### **FUTURE COUNCIL-INITIATED AGENDA ITEMS:**

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

## ***City Council Action and Redevelopment Agency Action***

### **CLOSED SESSION:**

	<b>1.</b>
<b><u>PUBLIC EMPLOYEE PERFORMANCE EVALUATION</u></b>	
Authority	Government Code 54957
Public Employee Performance Evaluation:	City Manager
Attendees:	City Council, City Manager

### **OPPORTUNITY FOR PUBLIC COMMENT**

### **ADJOURN TO CLOSED SESSION**

### **RECONVENE**

### **CLOSED SESSION ANNOUNCEMENT**

### **ADJOURNMENT**

### **PUBLIC COMMENTS ON ITEMS NOT APPEARING ON AGENDA**

Following the opening of Council/Agency business, the public may present comments on items *NOT* appearing on the agenda that are within the Council's/Agency's jurisdiction. Should your comments require Council/Agency action, your request will be placed on the next appropriate agenda. No Council/Agency discussion or action may be taken until your item appears on a future agenda. You may contact the City Clerk/Agency Secretary for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your presentation to three (3) minutes.

### **PUBLIC COMMENTS ON ITEMS APPEARING ON AGENDA**

The Morgan Hill City Council/Redevelopment Agency welcomes comments from all individuals on any agenda item being considered by the City Council/Redevelopment Agency. Please complete a Speaker Card and present it to the City Clerk/Agency Secretary. This will assist the Council/Agency Members in hearing your comments at the appropriate time. Speaker cards are available on the table in the foyer of the Council Chambers. In accordance with Government Code 54953.3 it is not a requirement to fill out a speaker card in order to speak to the Council/Agency. However, it is very helpful to the Council/Agency if speaker cards are submitted. As your name is called by the Mayor/Chairman, please walk to the podium and speak directly into the microphone. Clearly state your name and address and then proceed to comment on the agenda item. In the interest of brevity and timeliness and to ensure the participation of all those desiring an opportunity to speak, comments presented to the City Council/Agency Commission are limited to three minutes. We appreciate your cooperation.

### **NOTICE**

#### **AMERICANS WITH DISABILITIES ACT (ADA)**

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City. If you need special assistance to access the meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact the Office of the City Clerk/Agency Secretary at City Hall, 17555 Peak Avenue or call 779-7259 or (Hearing Impaired only - TDD 776-7381) to request accommodation. Please make your request at least 48 hours prior to the meeting to enable staff to implement reasonable arrangements to assure accessibility to the meeting.

If assistance is needed regarding any item appearing on the City Council/Agency Commission agenda, please contact the Office of the City Clerk/Agency Secretary at City Hall, 17555 Peak Avenue or call 779-7259 or (Hearing Impaired only - TDD 776-7381) to request accommodation.

### **NOTICE**

Notice is given, pursuant to Government Code Section 65009, that any challenge of Public Hearing Agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the City Council/Agency Commission at, or prior to the Public Hearing on these matters.

### **NOTICE**

The time within which judicial review must be sought of the action by the City Council/Agency Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.